SASKATCHEWAN

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Office of the Provincial Auditor

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Special Report
to the
Legislative Assembly of Saskatchewan
Regarding Changes to
The Provincial Auditor Act, Bill 14

April 2001

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We envision effective, open and accountable government.

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April 11, 2001

The Honourable P. Myron Kowalsky
Speaker of the Legislative Assembly
Room 129, Legislative Building
REGINA, Saskatchewan
S4S 0B3

Dear Sir:

I have the honour of submitting my *Special Report to the Legislative Assembly of Saskatchewan Regarding Changes to the Provincial Auditor Act, Bill 14* in accordance with the provisions of Section 14 of *The Provincial Auditor Act*.

Respectfully submitted,

Fred Wendel, CMA, CA
Acting Provincial Auditor

/dd

Special Report Regarding Changes to *The Provincial Auditor Act*, Bill 14

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Purpose of the Report

The purpose of this Report is to provide the Legislative Assembly with our views of Bill 14, *An Act to amend The Provincial Auditor Act*, and to report on the process leading up to the Bill. We think it is important for the Assembly to have our views because the Provincial Auditor is the Assembly's Officer charged with administering the Act.

We support the Bill because it improves the Provincial Auditor's independence and maintains the Government's accountability to the Assembly. Also, the Bill results from a reasonable process that provided for adequate consultation among key legislators, the Minister of Finance, and our Office.

We discuss these reasons more fully later in this Report.

Background

On December 6, 1999, the Government announced that it intended to introduce changes to *The Provincial Auditor Act*. The Speech from the Throne announced that the Government would introduce changes to update the Act.

In our 1999 Fall Report – Volume 2, we advised the Assembly that while we had not asked for changes to the Act, we viewed the announcement as an opportunity to strengthen our system of public accountability. We hold this view because the Act is a key part of that system.

We said we would recommend changes with a view to strengthening the accountability of the Government to the Legislative Assembly and maintaining the independence of our Office. We also said we would seek the views of the Standing Committee on Public Accounts regarding changes that we planned to recommend.

The Public Accounts Committee is made up of elected members from all political parties and is chaired by a member from the Official Opposition. We work with this Committee to improve the Government's management of public resources and the Government's accountability to the Assembly.

In our 2000 Fall Report – Volume 3, we said that we would make this special report to the Legislative Assembly when the Minister of Finance introduced changes to *The Provincial Auditor Act* to the Assembly. Under our parliamentary system of government, the Minister must introduce changes to the Act. As stated earlier, we think it is important for the Assembly to have our views because the Provincial Auditor is the Assembly's officer responsible to administer the Act.

A Reasonable Process

The process leading up to the Bill to change *The Provincial Auditor Act* was reasonable. The process resulted in appropriate consultation among key legislators, the Minister of Finance, and our Office. The key legislators (i.e., Public Accounts Committee) most affected by changes to the Act had the opportunity to recommend changes. The process was open to the public.

The process was as follows: in December 1999 and February 2000, we received proposed changes to the Act from the Minister of Finance. In January and February 2000, we asked the Minister to wait before proceeding with changes. We asked the Minister to wait until we had received the views of the Public Accounts Committee on changes that we planned to recommend.

In February 2000, we issued a special report that included our recommendations for changes to the Act. The changes were intended to improve the Government's accountability to the Assembly, to improve our accountability to the Assembly and to maintain the independence of the Office. We made the report to obtain the Public Accounts Committee's views on our recommended changes. It is important to obtain the Committee's views because the Committee's mandate is to "work with the Provincial Auditor to achieve maximum accountability (of the Government) to the Legislature."

In May 2000, the Minister of Finance appointed advisers to advise him about changes to the Act. In June 2000, the advisers reported to the Minister and the Minister provided the advisers' report to the Public Accounts Committee.

The Public Accounts Committee held meetings to discuss our special report to the Assembly and the report of the Minister's advisers. The Committee heard from our Office, from some of the Minister's advisers, and from the Provincial Comptroller (an employee of the Department of Finance). The Public Accounts Committee met on June 1, 6, and 13 and November 21, 22, and 23, 2000. The discussions can be reviewed online at http://www.legassembly.sk.ca/committees/verblist.htm.

The Public Accounts Committee accepted some of our recommendations and some of the recommendations of the Minister's advisers. In addition, the Public Accounts Committee made some of its own recommendations.

In our 2000 Fall Report – Volume 3, we said we would draft the changes to *The Provincial Auditor Act* taking into account the Public Accounts Committee's recommendations. We said we would send those changes to the Minister of Finance for his consideration.

On December 27, 2000, while we were in the process of drafting the changes, we received proposed changes to the Act from the Provincial Comptroller, who was preparing them for the Minister. We decided to work with the Provincial Comptroller to draft proposed changes that would reflect the views of the Public Accounts Committee. We wrote the Minister of Finance on January 5, 2001 advising him of our change in plans and said we would keep him informed of our progress.

On March 16, 2001 we wrote to the Minister. We advised that we had worked with the Provincial Comptroller and that we agreed the Provincial Comptroller's draft of February 22, 2001 adequately reflected the views of the Public Accounts Committee.

Our Views

In our view, the Bill:

- Maintains the Government's accountability to the Assembly;
- Improves the Provincial Auditor's independence; and
- Improves the Provincial Auditor's accountability to the Assembly.

Government's Accountability to the Assembly

The Government's accountability to the Assembly remains unchanged under the Bill. We made several recommendations in our February 2000 Special Report intended to improve the Government's accountability to the Assembly. The Public Accounts Committee did not accept those recommendations during its November 2000 meetings.

Provincial Auditor's Independence

The Bill improves the Provincial Auditor's independence because the Public Accounts Committee, an all-party committee, will select and recommend the next Provincial Auditor for appointment by the Assembly. In our 2000 Special Report, we recommended the Public Accounts Committee should select the Provincial Auditor. Under the current law, Cabinet selects and appoints the Provincial Auditor after consultation with the Chair of the Public Accounts Committee.

The Bill also improves the Provincial Auditor's independence because the Public Accounts Committee, which does not include cabinet ministers, will approve the Provincial Auditor's budget. We recommended this change in our 2000 Special Report. Currently, the Board of Internal Economy, an all-party board of the Assembly that does include cabinet ministers, approves the Provincial Auditor's budget.

The Bill requires the Provincial Auditor to return all unspent money at the end of each year to the General Revenue Fund. This practice is known as "lapsing appropriations."

Before 1983, the Provincial Auditor was subject to lapsing appropriations. In 1983, *The Provincial Auditor Act* gave the Provincial Auditor full independence to manage the Office. Part of this independence included the Provincial Auditor's ability to retain unspent money to pay for such things as the costs of necessary unplanned extra audit work to safeguard public resources. In the past, we have used this money to pay for unplanned necessary work at Saskatchewan Indian Gaming Authority, Workers' Compensation Board, and Saskatchewan Power Corporation.

We were concerned when the Minister's advisers proposed that we should return to this practice of lapsing appropriations. We were

concerned because the practice would reduce our independence by reducing our resources to carry out necessary unplanned extra audit work.

We discussed our concerns with the Public Accounts Committee. The Committee reduced most of the negative impacts of "lapsing appropriations" by recommending that the Bill should provide for the Provincial Auditor to obtain an extra appropriation each year for unforeseen costs. An extra appropriation each year will ensure the Provincial Auditor retains the independence to manage effectively the Office. The Bill provides for this extra appropriation.

Provincial Auditor's Accountability

The Provincial Auditor's accountability to the Assembly is improved because the Bill proposes that the Provincial Auditor must provide the Assembly with an annual Business and Financial Plan and an Annual Report on Operations. We recommended this change in our 2000 Special Report. The Provincial Auditor has voluntarily provided the Assembly with these documents for many years.

Other Comments on the Bill

The Bill provides for a ten-year term for the Provincial Auditor. Our February 2000 Special Report recommended a ten-year term for the Provincial Auditor to provide for periodic renewal.

We also note that the Bill provides that the Standing Committee on Public Accounts and the Standing Committee on Crown Corporations will have access to research resources. In the past, we have recommended that the Public Accounts Committee should have research resources. The Bill provides for the creation of an advisory group to serve both Committees. The advisory group can advise the Committees on the following matters:

- Recommending a Provincial Auditor;
- Reviewing the estimates of the Provincial Auditor;
- Reviewing the annual report on operations of the Provincial Auditor;
- Reviewing the Provincial Auditor's public reports on the Government's performance; and
- Any other matters that the Public Accounts Committee may request.

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Appendix 1 – Bill 14 *An Act to amend The Provincial Auditor Act*

BILL

No. 14 of 2001

An Act to amend *The Provincial Auditor Act*

(Assented to , 2001)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Provincial Auditor Amendment Act, 2001.*

S.S. 1983, c.P-30.01 amended

2 *The Provincial Auditor Act* is amended in the manner set forth in this Act.

Section 2 amended

3(1) Clause 2(g) is amended by striking out " section 3" **and substituting** "section 3.1".

(2) The following clause is added after clause 2(g):

"(g.1) **'public accounts committee'** means the Standing Committee of the Legislative Assembly on Public Accounts".

(3) The following clause is added after clause 2(i):

"(j) **'Speaker'** means the member of the Legislative Assembly elected as Speaker in accordance with *The Legislative Assembly and Executive Council Act*".

New sections 3 to 3.2

4 Section 3 is repealed and the following substituted:

"Provincial Auditor for Saskatchewan

3(1) The office of Provincial Auditor for Saskatchewan is established.

(2) The provincial auditor is an officer of the Legislative Assembly.

"Appointment of provincial auditor

3.1(1) On the unanimous recommendation of the public accounts committee, the Legislative Assembly shall, by resolution, appoint a provincial auditor.

(2) The provincial auditor holds office for a term of 10 years from the date of his or her appointment unless, before that term expires, he or she:

(a) resigns or is suspended or removed from office pursuant to section 3.2; or

(b) attains the normal date of retirement for employees of the public service of Saskatchewan.

(3) The provincial auditor may apply for a second or subsequent term.

"Resignation, removal of provincial auditor

3.2(1) The provincial auditor may resign the office at any time by giving written notice:

(a) to the Speaker; or

(b) if there is no Speaker or if the Speaker is absent from Saskatchewan, to the President of the Executive Council.

(2) The Legislative Assembly may, by resolution, suspend or remove the provincial auditor from office for cause ".

New section 4

5 Section 4 is repealed and the following substituted:

"Salary of the provincial auditor

4(1) Subject to subsections (2) and (3), the provincial auditor is to be paid a salary equal to the average salary of all the deputy ministers and acting deputy ministers of the Government of Saskatchewan calculated as at April 1 in each year.

(2) Any benefits or payments that may be characterized as deferred income, retirement allowances, separation allowances, severance allowances or payments in lieu of notice are not to be included in calculating the average salary of all the deputy ministers and acting deputy ministers pursuant to subsection (1).

(3) Where, as a result of a calculation made pursuant to subsection (1), the salary of a provincial auditor would be less than that provincial auditor's previous salary, the provincial auditor is to be paid not less than his or her previous salary.

(4) The provincial auditor is entitled to receive any privileges of office and economic adjustments that are provided generally to deputy ministers.

(5) The salary of the provincial auditor shall be paid out of the general revenue fund".

Section 7 amended

6 Section 7 is amended by striking out " advisors" and substituting "advisers".

Section 8 amended

7(1) Subsection 8(2) is amended by striking out "office of the provincial auditor" and substituting "provincial auditor's office".

(2) Subsections 8(3) and (4) are repealed and the following substituted:

"(3) The employee benefits applicable to the public servants of Saskatchewan apply or continue to apply, as the case may be, to the provincial auditor and the employees of the provincial auditor's office.

"(4) *The Public Service Superannuation Act* , *The Superannuation (Supplementary Provisions) Act* and *The Public Employees Pension Plan Act* apply to the provincial auditor and the employees of the provincial auditor's office, and all credits in any superannuation plan or fund established pursuant to those Acts for the provincial auditor and the employees of the provincial auditor's office and accumulated under those Acts, before the coming into force of this section, are preserved and continued in accordance with those Acts ".

(3) Subsection 8(5) is amended by striking out " office of the provincial auditor" and substituting "provincial auditor's office".

Section 9 amended

8 Section 9 is amended by striking out " his office" and substituting "his or her office, and any person engaged or retained pursuant to section 7, ".

New sections 10 to 10.5

9 Section 10 is repealed and the following substituted:

"Delegation of authority

10 The provincial auditor may delegate to any member of the provincial auditor's office the authority to exercise any power or to perform any duty conferred on the provincial auditor pursuant to this Act, other than the duty to make:

(a) an annual report on operations pursuant to section 10.4;

(b) a business and financial plan pursuant to section 10.5;

(c) an annual report pursuant to section 12; or

(d) a special report to the Legislative Assembly.

"Estimates

10.1(1) For each fiscal year, the provincial auditor shall present to the public accounts committee, in accordance with any instructions from the public accounts committee, estimates of the moneys that will be required to be provided by the Legislature for the expenses of the provincial auditor's office, including an amount for unforeseen expenses.

(2) On receipt of the estimates pursuant to subsection (1), the public accounts committee:

(a) shall review the estimates; and

(b) may make any alterations to the estimates that the public accounts committee considers appropriate.

(3) After reviewing and making any alterations to the estimates pursuant to subsection (2), the public accounts committee shall approve the estimates.

(4) After approving the estimates pursuant to subsection (3), the chairperson of the public accounts committee shall submit the estimates to the Speaker and to the Board of Internal Economy.

(5) The Speaker shall cause the estimates submitted pursuant to subsection (4) to be laid before the Legislative Assembly.

(6) Notwithstanding subsections (1) to (5), if a public accounts committee has not been appointed by a date to allow the Speaker to cause the estimates of the provincial auditor for a fiscal year to be laid before the Legislative Assembly pursuant to subsections (1) to (5), the Speaker shall cause the estimates of the provincial auditor for the previous fiscal year to be laid before the Legislative Assembly.

(7) The Legislative Assembly may refer the estimates laid before it pursuant to subsection (5) or (6) to a Standing Committee of the Legislative Assembly.

(8) Where the estimates are not referred to a Standing Committee of the Legislative Assembly, the estimates are to be considered in the Committee of Finance and defended by a member of the Executive Council who is designated by the President of the Executive Council.

(9) *The Tabling of Documents Act, 1991* does not apply to the estimates required to be prepared by the provincial auditor pursuant to this section.

"Unprovided for or unforeseen expenses

10.2(1) For the purposes of this section, the Legislature is not in session where it:

(a) is prorogued; or

(b) is adjourned for an indefinite period or to a day more than seven days after the Lieutenant Governor in Council made the order directing the preparation of the special warrant pursuant to this section.

(2) If the Legislature is not in session, the provincial auditor may report to the public accounts committee that:

(a) a matter has arisen with respect to the administration of this Act respecting an expense required by the provincial auditor's office that was not foreseen or provided for, or was insufficiently provided for; and

(b) the provincial auditor is of the opinion that there is no appropriation for the expense or that the appropriation is exhausted or insufficient and that the expense is urgently and immediately required for the public good.

(3) On receipt of a report of the provincial auditor pursuant to subsection (2), the public accounts committee:

(a) shall review the report and make any alterations to the funding request in the report that the public accounts committee considers appropriate; and

(b) may recommend to the Minister of Finance that a special warrant be issued authorizing the expense in the amount the public accounts committee determines to be appropriate.

(4) On receipt of a recommendation of the public accounts committee pursuant to subsection (3), the Minister of Finance shall recommend to the Lieutenant Governor in Council that a special warrant be issued authorizing the expense in the amount recommended by the public accounts committee.

(5) On receipt of a recommendation of the Minister of Finance pursuant to subsection (4), the Lieutenant Governor in Council may order a special warrant to be prepared for the signature of the Lieutenant Governor authorizing the expense in the amount recommended by the public accounts committee.

(6) For the purposes of *The Financial Administration Act, 1993* and of this Act, a special warrant issued pursuant to subsections (1) to (5) is deemed to be a special warrant issued pursuant to section 14 of *The Financial Administration Act, 1993*, and that Act applies to a special warrant issued pursuant to those subsections as if it were issued pursuant to section 14 of that Act.

(7) Notwithstanding subsections (1) to (6), the provincial auditor may request that the Minister of Finance recommend that a special warrant be issued pursuant to section 14 of *The Financial Administration Act, 1993* if:

(a) a public accounts committee has not been appointed; and

(b) the provincial auditor reports that the conditions mentioned in clauses (2)(a) and (b) are met.

"Expenses limited to appropriation

10.3(1) In this section, **'appropriation'** means:

(a) an appropriation for the expenses of the provincial auditor's office made by an *Appropriation Act*;

(b) an appropriation by special warrant issued pursuant to section 10.2; and

(c) any other amount that is permitted or directed to be paid out of the general revenue fund pursuant to this or any other Act for the expenses of the provincial auditor's office.

(2) The provincial auditor shall not incur expenses for a fiscal year in excess of the appropriation for that fiscal year.

(3) The Minister of Finance shall pay to the provincial auditor out of the general revenue fund the appropriation for a fiscal year in the amounts and at the times requested by the provincial auditor.

(4) Where the amounts paid to the provincial auditor pursuant to subsection (3) on account of an appropriation for a fiscal year exceed the expenses of the provincial auditor's office for that fiscal year, the provincial auditor shall repay the excess to the Minister of Finance as soon as is practicable after the end of the fiscal year, and the Minister of Finance shall deposit any amounts received pursuant to this subsection in the general revenue fund.

"Annual report on operations

10.4(1) In each fiscal year, the provincial auditor shall prepare and submit to the Speaker an annual report on operations that is to consist of the following:

(a) a report on the operations of the provincial auditor's office for the preceding fiscal year;

(b) the audited financial statement for the provincial auditor's office showing the results of its operations for the preceding fiscal year.

(2) The provincial auditor shall submit the annual report on operations mentioned in subsection (1) within 120 days after the end of the fiscal year to which the annual report on operations relates.

"Business and financial plan

10.5 Prior to the beginning of each fiscal year, by a date that may be required by the public accounts committee, the provincial auditor shall prepare and submit to the Speaker a business and financial plan for the provincial auditor's office showing its planned operations and its planned revenues and expenses for the fiscal year".

Section 11.1 amended

10 Subsections 11.1(2) and (3) are repealed and the following substituted:

"(2) The provincial auditor may only rely on the report of an appointed auditor of a Crown agency or the appointed auditor of a Crown-controlled corporation if the appointed auditor:

(a) is a member in good standing of a recognized accounting profession that is regulated by an Act; and

(b) is not employed by a department of the Government of Saskatchewan, a Crown agency, a Crown-controlled corporation or the provincial auditor's office.

"(3) Where the provincial auditor determines pursuant to subsection (1) or (2) that he or she is unable to rely on the report of the appointed auditor with respect to a Crown agency or Crown-controlled corporation, the provincial auditor shall conduct additional audit work with respect to the accounts of that Crown agency or Crown-controlled corporation.

"(4) Where the provincial auditor has conducted additional audit work on the accounts of a Crown agency or Crown-controlled corporation pursuant to subsection (3), the provincial auditor shall report in his or her annual report pursuant to this section:

(a) the reason that the provincial auditor was unable to rely on the report of the appointed auditor of the Crown agency or Crown-controlled corporation;

(b) the nature of the additional audit work the provincial auditor conducted; and

(c) the results of the additional audit work".

New sections 14 and 14.1

11 Section 14 is repealed and the following substituted:

"Submission of provincial auditor's reports

14 Notwithstanding *The Tabling of Documents Act, 1991*, the provincial auditor shall submit to the Speaker, as soon as is practicable:

(a) the annual report prepared pursuant to section 12; and

(b) any special report that is prepared by the provincial auditor pursuant to section 13.

"Tabling of reports

14.1(1) In this section, **'report'** means:

(a) an annual report on the operations of the provincial auditor's office that is submitted to the Speaker pursuant to section 10.4;

(b) a business and financial plan for the provincial auditor's office that is submitted to the Speaker pursuant to section 10.5;

(c) an annual report prepared pursuant to section 12 that is submitted to the Speaker pursuant to section 14;

(d) any special report that is prepared by the provincial auditor pursuant to section 13 that is submitted to the Speaker pursuant to section 14; or

(e) a report of the auditor of the accounts of the provincial auditor's office that is submitted to the Speaker pursuant to section 27.

(2) The Speaker shall lay before the Legislative Assembly each report received by the Speaker as soon as is practicable after it is received.

(3) If the Legislative Assembly is not in session when the Speaker receives a report, the Speaker shall submit the report to the Clerk of the Legislative Assembly.

(4) When the Clerk of the Legislative Assembly receives a report pursuant to subsection (3), the Clerk shall, as soon as possible:

(a) subject to subsection (5), cause a copy of the report to be delivered to each member of the Legislative Assembly; and

(b) make the report available for public inspection during normal business hours of the Clerk of the Legislative Assembly.

(5) The requirement in subsection (4) to deliver a copy of a report to the members of the Legislative Assembly does not apply in the period that:

(a) commences on the day a Legislative Assembly is dissolved; and

(b) ends on the day fixed for making the return to the writ for the general election held pursuant to *The Election Act, 1996* that follows the dissolution mentioned in clause (a).

(6) If a report is submitted to the Clerk of the Legislative Assembly in accordance with subsection (3), the report is deemed to have been laid before the Assembly.

(7) Where a report is laid before the Legislative Assembly pursuant to subsection (2) or is deemed to be laid before the Legislative Assembly pursuant to subsection (6), the report is deemed to be referred to the public accounts committee.

(8) Notwithstanding subsection (7), where a report or part of a report mentioned in subsection (7) deals with a matter that relates to the Crown Investments Corporation of Saskatchewan or a subsidiary Crown corporation within the meaning of *The Crown Corporations Act, 1993*, the report or part of the report is deemed to be referred to the Standing Committee of the Legislative Assembly on Crown Corporations".

Section 18 amended

12 Section 18 is amended:

(a) in clause (b) by adding "or herself" after "himself";

(b) by striking out "and" after clause (b);

(c) by adding "and" after clause (c); and

(d) by adding the following clause after clause (c):

"(d) at any time that he or she is requested to do so by the Minister of Finance, participate in audit assignments in connection with the filing of a prospectus and registration material required for the issuance and sale of securities of the Government of Saskatchewan".

New sections 20 to 23

13 Sections 20 to 23 are repealed and the following substituted:

"Audit committee

20(1) In this section and in sections 21 to 23, **'audit committee'** means the audit committee established pursuant to subsection (2).

(2) An audit committee is established.

(3) The audit committee is to consist of not more than five persons appointed by the Speaker on the unanimous recommendation of the public accounts committee.

(4) A recommendation of the public accounts committee pursuant to subsection (3) is to be made only after the public accounts committee has consulted with the Standing Committee of the Legislative Assembly on Crown Corporations.

(5) The following persons are not eligible to be a member of the audit committee:

(a) a Member of the Legislative Assembly;

(b) an appointed auditor;

(c) an employee of the Government of Saskatchewan, of a Crown agency, of a Crown-controlled corporation or of the provincial auditor's office.

(6) The Speaker shall designate as chairperson the member of the audit committee unanimously recommended by the public accounts committee.

(7) The audit committee may determine its rules of procedure.

(8) All expenses of the audit committee are to be paid out of the appropriation for the Legislative Assembly Office.

"Functions of the audit committee

21(1) The public accounts committee may request the audit committee to assist it in undertaking the following:

(a) the recommending of a provincial auditor;

(b) the review of the estimates of the provincial auditor;

(c) the review of the annual report on operations of the provincial auditor;

(d) the review of any report of the provincial auditor prepared pursuant to section 12 or 13;

(e) any other matters that the public accounts committee may request.

(2) The provincial auditor, the Minister of Finance, the member of the Executive Council responsible for *The Crown Corporations Act, 1993* or the Standing Committee of the Legislative Assembly on Crown Corporations may request the audit committee to review any matter that, in the opinion of the provincial auditor, the Minister of Finance, the member of the Executive Council responsible for *The Crown Corporations Act, 1993* or the Standing Committee of the Legislative Assembly on Crown Corporations, as the case may be, should be considered by the audit committee.

"Information to be provided to audit committee

22(1) The audit committee may request the provincial auditor and any officers or employees of the Government of Saskatchewan, a Crown agency or a Crown-controlled corporation to provide the audit committee with any information that the audit committee considers necessary to carry out its functions mentioned in section 21, and the provincial auditor and the officers or employees of the Government of Saskatchewan, the Crown agency or the Crown-controlled corporation may provide the information requested.

(2) The audit committee and each member of the audit committee:

(a) shall preserve secrecy with respect to all matters that come to their knowledge in the course of performing their functions pursuant to this Act; and

(b) shall not communicate those matters to any person, other than when required to do so in the performance of their functions pursuant to this Act.

"Availability of reports

23(1) For the purpose of allowing the Minister of Finance to review and comment on the provincial auditor's annual report prepared pursuant to section 12, the provincial auditor shall submit the provincial auditor's annual report to the Minister of Finance at least 10 days before the provincial auditor causes the annual report to be printed for submission to the Speaker.

(2) The provincial auditor shall submit to the Minister of Finance any special report prepared pursuant to section 13 before the provincial auditor submits that special report to the Speaker".

New section 27

14 Section 27 is repealed and the following substituted:

"Auditor of accounts of provincial auditor's office

27(1) On the recommendation of the public accounts committee, the Lieutenant Governor in Council shall appoint an accountant who meets the qualifications set out in subsection (2) to annually audit the accounts of the provincial auditor's office.

(2) For the purposes of subsection (1), the accountant appointed pursuant to this section:

(a) must be a member in good standing of a recognized accounting profession that is regulated by an Act; and

(b) must not be employed by a department of the Government of Saskatchewan, a Crown agency, a Crown-controlled corporation or the provincial auditor's office.

(3) The accountant appointed pursuant to subsection (1) has the same powers and shall perform the same duties in relation to an audit of the accounts of the provincial auditor's office that the provincial auditor has or performs in relation to an audit performed pursuant to this Act.

(4) The auditor of the accounts of the provincial auditor's office shall submit his or her report to the Speaker".

Section 28 amended

15 Section 28 is amended:

(a) by renumbering it as subsection 28(1);

(b) in subsection (1) by striking out "his office**" and substituting "**the provincial auditor's office**"; and**

(c) by adding the following subsection after subsection (1):

"(2) All fees charged pursuant to subsection (1) and all other revenues received by the provincial auditor pursuant to this Act shall be deposited in the general revenue fund".

Section 29 amended

16 Section 29 is amended:

(a) by striking out "his office and any advisor" and substituting "the provincial auditor's office and any adviser"; and

(b) by adding "or retained" after "engaged".

Section 30 amended

17 Section 30 is amended:

(a) by striking out "his office" and substituting "the provincial auditor's office";

(b) by striking out "advisor" and substituting "adviser";

(c) by adding "or retained" after "engaged";

(d) by striking out "his" wherever it appears in clause (a) and substituting "his or her"; and

(e) in clause (b) by striking out "he" and substituting "he or she".

Section 31 repealed

18 Section 31 is repealed.

Coming into force

19 This Act comes into force on assent.